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Economic and social repercussions of the Israeli occupation on the living conditions of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and the Arab population in the occupied Syrian Golan

Algeria*, and Turkey: draft resolution**

Economic and social repercussions of the Israeli occupation on the living conditions of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and the Arab population in the occupied Syrian Golan

The Economic and Social Council,

Recalling General Assembly resolution 66/225 of 22 December 2011,

Recalling also its resolution 2011/41 of 28 July 2011,

Guided by the principles of the Charter of the United Nations affirming the inadmissibility of the acquisition of territory by force and recalling relevant Security Council resolutions, including resolutions 242 (1967) of 22 November 1967, 252 (1968) of 21 May 1968, 338 (1973) of 22 October 1973, 465 (1980) of 1 March 1980 and 497 (1981) of 17 December 1981,

Recalling the resolutions of the tenth emergency special session of the General Assembly, including ES-10/13 of 21 October 2003, ES-10/14 of 8 December 2003, ES-10/15 of 20 July 2004 and ES-10/17 of 15 December 2006,

Reaffirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[1] to the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967,

* On behalf of the States Members of the United Nations that are members of the Group of 77 and China.

** In accordance with rule 72 of the rules of procedure of the Economic and Social Council.

[1] United Nations, *Treaty Series*, vol. 75, No. 973.

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Recalling the International Covenant on Civil and Political Rights,[2] the International Covenant on Economic, Social and Cultural Rights,[2] and the Convention on the Rights of the Child,[3] and affirming that these human rights instruments must be respected in the Occupied Palestinian Territory, including East Jerusalem, as well as in the occupied Syrian Golan,

Stressing the importance of the revival and acceleration of serious and credible negotiations within the Middle East peace process on the basis of Security Council resolutions 242 (1967), 338 (1973), 425 (1978) of 19 March 1978, 1397 (2002) of 12 March 2002, 1515 (2003) of 19 November 2003, 1544 (2004) of 19 May 2004 and 1850 (2008) of 16 December 2008, the principle of land for peace, the Arab Peace Initiative[4] and the Quartet road map,[5] as well as compliance with the agreements reached between the Government of Israel and the Palestine Liberation Organization, the representative of the Palestinian people,

Reaffirming the principle of the permanent sovereignty of peoples under foreign occupation over their natural resources, and expressing concern in that regard about the exploitation of natural resources by Israel, the occupying Power, in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan,

Convinced that the Israeli occupation has gravely impeded the efforts to achieve sustainable development and a sound economic environment in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan, and expressing grave concern about the consequent deterioration of economic and living conditions,

Commending, in that regard, the efforts of the Palestinian Authority to improve the economic and social situation in the Occupied Palestinian Territory, especially in the areas of governance, the rule of law and human rights, livelihoods and productive sectors, education and culture, health, social protection, infrastructure and water,

Gravely concerned, in that regard, about the accelerated construction of settlements and implementation of other related measures by Israel in the Occupied Palestinian Territory, particularly in and around occupied East Jerusalem, as well as in the occupied Syrian Golan, in violation of international humanitarian law and relevant United Nations resolutions,

Expressing deep concern about the rising incidence of violence, harassment, provocation, vandalism and incitement by illegal armed Israeli settlers in the Occupied Palestinian Territory, including East Jerusalem, against Palestinian civilians, including children, and their properties, including historic and religious sites, and agricultural lands,

Gravely concerned by the serious repercussions on the economic and social conditions of the Palestinian people caused by Israel's construction of the wall and its associated regime inside the Occupied Palestinian Territory, including in and around East Jerusalem, and the resulting violation of their economic and social

[2] See General Assembly resolution 2200 A (XXI), annex.

[3] United Nations, *Treaty Series*, vol. 1577, No. 27531.

[4] A/56/1026-S/2002/932, annex II, resolution 14/221.

[5] S/2003/529, annex.

rights, including the right to work, to health, to education, to property, to an adequate standard of living and to freedom of access and movement,

Recalling, in that regard, the advisory opinion rendered on 9 July 2004 by the International Court of Justice on the *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*,[6] and General Assembly resolution ES-10/15, and stressing the need to comply with the obligations mentioned therein,

Expressing grave concern at the extensive destruction by Israel, the occupying Power, of properties, including the increased demolition of homes, economic institutions, historical landmarks, agricultural lands and orchards, in the Occupied Palestinian Territory, including East Jerusalem, in particular in connection with its construction of the wall, contrary to international law, in the Occupied Palestinian Territory, including in and around East Jerusalem,

Expressing grave concern also over the continuing and intensifying policy of home demolitions, evictions and revocation of residency rights, which have caused the further displacement of the Palestinian population in and around occupied East Jerusalem, as well as measures to further isolate the city from its natural Palestinian environs, including through the accelerated construction of settlements, the construction of the wall, the confiscation of land and the continued imposition of checkpoints, which have seriously exacerbated the already critical socioeconomic situation being faced by the Palestinian population,

Expressing grave concern further about Israeli military operations and the continuing Israeli policy of closures and severe restrictions on the movement of persons and goods, including humanitarian personnel and food, medical, fuel, construction materials and other essential supplies, via the imposition of crossing closures, checkpoints and a permit regime throughout the Occupied Palestinian Territory, including East Jerusalem, and the consequent negative impact on the socioeconomic situation of the Palestinian people, in particular the Palestinian refugee population, which remains that of a humanitarian crisis,

Taking note of recent developments regarding the situation of access to the Gaza Strip, although grave hardships continue to prevail as a result of the prolonged Israeli closures and severe economic and movement restrictions that in effect amount to a blockade, and calling in that regard for the full implementation of Security Council resolution 1860 (2009) of 8 January 2009 with a view to ensuring the full opening of the border crossings for the sustained and regular movement of persons and goods, including humanitarian aid, commercial flows and construction materials, and emphasizing the need for security for all civilian populations,

Deploring the heavy casualties among civilians, including hundreds of children and women, the internal displacement of thousands of civilians and widespread damage to homes, vital civilian infrastructure, hospitals, schools, food supply installations, economic, industrial and agricultural properties, and several United Nations facilities in the Gaza Strip, which have a grave impact on the provision of vital health and social services to Palestinian women and their families and on their socioeconomic living conditions, all caused by the military operations between December 2008 and January 2009,

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[6] See A/ES-10/273 and Corr.1; see also *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, Advisory Opinion, I.C.J. Reports* 2004, p. 136.

Recalling, in that regard, the relevant United Nations reports, including those of the Economic and Social Council, the Economic and Social Commission for Western Asia and the rHuman Rights Council,

Expressing deep concern about the short- and long-term detrimental impact of such widespread destruction and the hampering of the reconstruction process, by Israel, the occupying Power, on the socioeconomic and humanitarian conditions of the Palestinian civilian population in the Gaza Strip, and calling in that regard for the immediate acceleration of the reconstruction process in the Gaza Strip with the assistance of the donor countries, including the disbursement of funds pledged at the International Conference in Support of the Palestinian Economy for the Reconstruction of Gaza, held in Sharm el-Sheikh, Egypt, in March 2009,

Gravely concerned about various reports of the United Nations and specialized agencies regarding the substantial aid dependency caused by prolonged border closures, inordinate rates of unemployment, widespread poverty and severe humanitarian hardships, including food insecurity and rising health-related problems, including high levels of malnutrition, among the Palestinian people, especially children, in the Occupied Palestinian Territory, including East Jerusalem,

Expressing grave concern at the deaths and injuries caused to civilians, including children, women and peaceful demonstrators, and emphasizing that the Palestinian civilian population must be protected in accordance with international humanitarian law,

Emphasizing the importance of the safety and well-being of all civilians, and calling for the cessation of all acts of violence, including all acts of terror, provocation, incitement and destruction, and all firing of rockets,

Expressing deep concern that thousands of Palestinians, including many children and women, continue to be held in Israeli prisons or detention centres under harsh conditions, including unhygienic conditions, solitary confinement, excessive use of administrative detention, lack of proper medical care and denial of family visits and of due process, that impair their well-being, and expressing deep concern also about any ill-treatment and harassment of Palestinian prisoners and all reports of torture, while taking note of the recent agreement reached on conditions of detention in Israeli prisons and calling for its full and immediate implementation,

Conscious of the urgent need for the reconstruction and development of the economic and social infrastructure of the Occupied Palestinian Territory, including East Jerusalem, as well as the urgent need to address the humanitarian crisis facing the Palestinian people, including by ensuring the unimpeded provision of humanitarian assistance and the sustained and regular flow of persons and goods into and out of the Gaza Strip,

Recognizing the efforts being undertaken by the Palestinian Authority, with international support, to rebuild, reform and strengthen its damaged institutions and promote good governance, emphasizing the need to preserve the Palestinian national institutions and infrastructure and commending, in that regard, the implementation of the 2009 plan of the Palestinian Authority entitled "Palestine: Ending the Occupation, Establishing the State" for building the institutions of an independent Palestinian State within a twenty-four month period and the significant achievements that have been brought about, as confirmed by international institutions, including the World Bank, the International Monetary Fund and the

United Nations in their reports to the meeting on 13 April 2011 of the Ad Hoc Liaison Committee for the Coordination of the International Assistance to Palestinians, and acknowledging the development plan of the Palestinian Authority for the period 2011-2013,

Commending, in that regard, the important work being done by the United Nations, the specialized agencies and the donor community in support of the economic and social development of the Palestinian people in line with their national development and State-building plan completed at the end of August 2011, as well as the assistance being provided in the humanitarian field,

Stressing the importance of national unity among the Palestinian people and emphasizing the need for the respect and preservation of the territorial integrity and unity of the Occupied Palestinian Territory, including East Jerusalem,

Calling upon both parties to fulfil their obligations under the road map in cooperation with the Quartet,

1. *Calls* for the full opening of the border crossings of the Gaza Strip, in line with Security Council resolution 1860 (2009), to ensure humanitarian access as well as the sustained and regular flow of persons and goods and the lifting of all movement restrictions imposed on the Palestinian people, including those restrictions arising from ongoing Israeli military operations and the multilayered closures system, and for other urgent measures to be taken to alleviate the serious humanitarian situation in the Occupied Palestinian Territory, which is critical in the Gaza Strip, and calls for compliance by Israel, the occupying Power, with all of its legal obligations under international humanitarian law and United Nations resolutions in that regard;

2. *Stresses* the need to preserve the territorial contiguity, unity and integrity of the Occupied Palestinian Territory, including East Jerusalem, and to guarantee the freedom of movement of persons and goods throughout the Occupied Palestinian Territory, including East Jerusalem, as well as to and from the outside world;

3. *Also stresses* the need to preserve and develop Palestinian national institutions and infrastructure for the provision of vital public services to the Palestinian civilian population and to contribute to the promotion and protection of human rights, including economic and social rights;

4. *Demands* that Israel comply with the Protocol on Economic Relations between the Government of Israel and the Palestine Liberation Organization signed in Paris on 29 April 1994;[7]

5. *Calls upon* Israel to restore and replace civilian properties, vital infrastructure, agricultural lands and governmental institutions that have been damaged or destroyed as a result of its military operations in the Occupied Palestinian Territory;

6. *Reiterates the call* for the full implementation of the Agreement on Movement and Access of 15 November 2005, particularly the urgent and uninterrupted reopening of all crossings into the Gaza Strip, which is crucial to ensuring the passage of foodstuffs and essential supplies, including construction

[7] See A/49/180-S/1994/727, annex, entitled "Agreement on the Gaza Strip and the Jericho Area", annex IV.

materials and adequate fuel supplies, as well as to ensuring the unhindered access of the United Nations and related agencies and regular commercial flows necessary for economic recovery to and within the Occupied Palestinian Territory, and emphasizes the need for security for all civilian populations;

7. *Calls upon* all parties to respect the rules of international humanitarian law, and to refrain from violence against the civilian population, in accordance with the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949;

8. *Reaffirms* the inalienable right of the Palestinian people and the Arab population of the occupied Syrian Golan to all their natural and economic resources, and calls upon Israel, the occupying Power, not to exploit, endanger or cause loss or depletion of those resources;

9. *Calls upon* Israel, the occupying Power, to cease its destruction of homes and properties, economic institutions and agricultural lands and orchards in the Occupied Palestinian Territory, including East Jerusalem, as well as in the occupied Syrian Golan;

10. *Also calls upon* Israel, the occupying Power, to end immediately its exploitation of natural resources, including water and mining resources, and to cease the dumping of all kinds of waste materials in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan, which gravely threaten their natural resources, namely, the water, land and energy resources, and present a serious environmental hazard and health threat to the civilian populations, and also calls upon Israel, the occupying Power, to remove all obstacles that obstruct implementation of critical environmental projects, including the sewage treatment plants in the Gaza Strip;

11. *Reaffirms* that the construction and expansion of Israeli settlements and related infrastructure in the Occupied Palestinian Territory, including East Jerusalem, and the occupied Syrian Golan, are illegal and constitute a major obstacle to economic and social development and to the achievement of peace, and calls for the full cessation of all settlement and settlement-related activity, including full cessation of all measures aimed at altering the demographic composition, legal status and character of the occupied territories, including in particular in and around Occupied East Jerusalem, in compliance with relevant Security Council resolutions and international law, including the Geneva Convention relative to the Protection of Civilian Persons in Time of War;

12. *Also reaffirms* that Israel's ongoing construction of the wall in the Occupied Palestinian Territory, including in and around East Jerusalem, is contrary to international law and is isolating East Jerusalem, fragmenting the West Bank and seriously debilitating the economic and social development of the Palestinian people, and calls in that regard for full compliance with the legal obligations mentioned in the 9 July 2004 advisory opinion of the International Court of Justice and in General Assembly resolution ES-10/15 and subsequent relevant resolutions;

13. *Calls upon* Israel to comply with the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War and to facilitate visits of the Syrian citizens of the occupied Syrian Golan whose family members reside in their mother homeland, the Syrian Arab Republic, via the Qunaitra entrance;

14. *Emphasizes* the importance of the work of United Nations organizations and agencies in the Occupied Palestinian Territory, including East Jerusalem, and of the United Nations Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General to the Palestine Liberation Organization and the Palestinian Authority;

15. *Reiterates* the importance of the revival and accelerated advancement of negotiations of the peace process on the basis of relevant United Nations resolutions, including Security Council resolutions 242 (1967), 338 (1973), 425 (1978), 1397 (2002), 1515 (2003), 1544 (2004) and 1850 (2008), and the Madrid Conference, the principle of land for peace, the Arab Peace Initiative and the Quartet road map, as well as compliance with the agreements reached between the Government of Israel and the Palestine Liberation Organization, the representative of the Palestinian people, in order to pave the way for the realization of the two-State solution of Israel and Palestine living side by side in peace and security within recognized borders, based on the pre-1967 borders, and the achievement of a just, lasting and comprehensive peace settlement;

16. *Requests* the Secretary-General to submit to the General Assembly at its sixty-seventh session, through the Economic and Social Council, a report on the implementation of the present resolution and to continue to include in the report of the United Nations Special Coordinator an update on the living conditions of the Palestinian people, in collaboration with relevant United Nations agencies;

17. *Decides* to include the item entitled "Economic and social repercussions of the Israeli occupation on the living conditions of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and the Arab population in the occupied Syrian Golan" in the agenda of its substantive session of 2013.